



Saunders County Board Minutes



BOARD OF SUPERVISORS PROCEEDINGS

September 15, 2015

Pursuant to adjournment, the Board met with Breunig, Rastovski, Mach, Hanson and Lutton were present. Sukstorf and Karloff were excused.

Notice of the meeting was given in advance by published notice in a legal newspaper as shown by the proof of publication filed in the County Clerk's office. Notice of the meeting was emailed to all members of the Board and a copy of their acknowledgement of receipt of notice and agenda is attached. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public, except when in closed executive session.

Vice Chairperson Lutton called the meeting to order at 9:00 a.m. informed the public of the location of the posting of the Open Meetings Act & Title VI Policy Statement are posted on the North wall (right hand side) as you enter the Board Room).

Public Works Director reported on the activities of the Road Crews (Bridge, Culvert and Grading) and the locations; updated the Board on current road/bridge projects; visited with (2) Village of Ceresco Board Members regarding recent notification that a bridge/road that the County used to maintain, was now the Village's responsibility.

Motion by Breunig, seconded by Hanson to adopt **Resolution 27-2015** for Saunders County to participate in an Interlocal Agreement to Create an NRIN (Nebraska Regional Interoperability Network) Board. Voting yes were Breunig, Rastovski, Mach, Hanson and Lutton. Voting no were none. Motion carried.

Motion by Rastovski, seconded by Mach to authorize the Vice Chair to sign the Amendment to the Option and Ground Lease Agreement with SBA Network Services, LLC., Boca Raton, FL; cell tower located on County Road 14 and 1 Mile Road – Cedar Bluffs (Tr in W½ SW 29-17-8 .23 acres). Voting yes were Rastovski, Mach, Hanson, Lutton and Breunig. Voting no were none. Motion carried.

Motion by Mach, seconded by Rastovski to authorize the County Treasure to issue a Cash Advance in the amount of \$20,259.86 to Hamilton & Johnson Title Service, 559 N Linden Street, Wahoo, NE 68066. Said Cash Advance is to complete the transaction of the real estate purchase of the land that the cell tower (County Road 14 and 1 Mile Road – Cedar Bluffs) is located on (Tr in W½ SW 29-17-8 .23 acres), from Jessen Systems LLC, care of Gary Jessen, Fremont. The Vice Chair is hereby authorized to sign all necessary documents regarding said transaction. Voting yes were Mach, Hanson, Lutton, Breunig and Rastovski. Voting no were none. Motion carried.

Motion by Breunig, seconded by Rastovski to convene as an Equalization Board at 9:20 a.m. Voting yes were Hanson, Lutton, Breunig, Rastovski and Mach. Voting no were none. Motion carried.

BOARD OF EQUALIZATION PROCEEDINGS

September 15, 2015

Pursuant to adjournment Sine Die, the Board met with Lutton, Breunig, Rastovski, Mach and Hanson were present. Karloff and Sukstorf were excused.

Notice of the meeting was given in advance by published notice in a legal newspaper as shown by the proof of publication filed in the County Clerk's office. Notice of the meeting was emailed to all members of the Board and a copy of their acknowledgement of receipt of notice and agenda is attached. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public.

Vice Chairperson Sukstorf called the meeting to order at 9:21 a.m. and informed the public of the location of the posting of the Open Meetings Act & Title VI Policy Statement are posted on the North wall (right hand side) as you enter the Board Room).

Motion by Lutton, seconded by Breunig to deny the request for a Tax Refund by Steve Houfek, Malmo for the following described properties: 1) N½ NW 24-15-6 Parcel #0071072000 and 2) N½ NW 20-15-7 Parcel #002101000. Denial was made due to the fact the request did not meet the criteria of a clerical error as per Nebr. Rev. State Statute 77-128. Voting yes were Lutton, Breunig, Rastovski, Mach and Hanson. Voting no were none. Motion carried.



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Motion by Breunig, seconded by Rastovski to approve Tax Correction #5306 (see attached). Voting yes were Breunig, Rastovski, Mach, Hanson and Lutton. Voting no were none. Motion carried.

Motion by Rastovski, seconded by Mach to approve the minutes of the September 8th Board meeting. Voting yes were Rastovski, Mach, Hanson, Lutton and Breunig. Voting no were none. Motion carried.

The proceedings of the foregoing meeting were recorded and are on file in the County Clerk's office. All items considered by the Board of Supervisors were included in the agenda published or posted prior to said meeting.

Vice Chairperson Hanson declared the meeting adjourned Sine Die at 9:24 a.m.

ATTEST: _____
Saunders County Clerk

Vice Chairperson Board of Equalization

Upon the adjournment of the Equalization Board, the Saunders County Board of Supervisors reconvened in their Regular schedule Board meeting at 9:24 a.m.

Motion by Breunig, seconded by Rastovski to convene in executive session for the protection of the public interest – for the purpose of discussing strategy regarding threat of litigation and pending litigation (84-1410), with the County Attorney and the County's defense counsel relating to Harrington v. Seward County, et.al., US District Court Case No. 4:15cv3068. Voting yes were Mach, Hanson, Lutton, Breunig and Rastovski. Voting no were none. Motion carried.

Motion by Mach, seconded by Rastovski to adjourn from executive session at 9:55 a.m., with no action taken and to reconvene in Regular meeting. Voting yes were Hanson, Lutton, Rastovski and Mach. Voting no were none. Breunig was absent during roll call and not voting. Motion carried.

The Board held a telephone conference with Bryan Dykes, of Bergthold Law Offices, Chattanooga, TN. Mr. Dykes gave a presentation for the Board regarding studies, case law and legal basis for possible amendments to the County's zoning regulations for submission to Planning Commission pursuant to Article 11, Section 11.02 of the Saunders County Nebraska Zoning Resolution No. 13-2015 (2015), specifically changes to definitional sections regarding adult establishments, regulations of adult establishments, opening of TA-1 Transitional Agricultural District to adult establishments as a permitted use, and making such businesses a permitted use in industrial districts, subject to updated regulations. Written materials relating to such presentation were made part of the record.

Motion by Rastovski, seconded by Hanson that based on the presentation given regarding secondary effects at this meeting, that the Board submit proposed amendments to the Zoning Resolution No. 12-2015, in the form distributed at this meeting, to the Planning Commission for study and recommendation. Voting yes were Lutton, Breunig, Rastovski, Mach and Hanson. Voting no were none. Motion carried.

Motion by Breunig, seconded by Rastovski that based on the presentation given regarding secondary effects at this meeting, to propose an ordinance governing public nudity and lewd and lascivious behavior within the County of Saunders, Nebraska, in the form distributed at this meeting, and to publish the same as provided by law; and to allow the County Clerk to schedule a public hearing regarding the same after all proper notices have been given as required by law. Voting yes were Breunig, Rastovski, Mach, Hanson and Lutton. Voting no were none. Motion carried.

Motion by Breunig, seconded by Hanson to contract with Ryan Swinton, Executive Vice President for UNICO, Lincoln, NE to assist the County with the bidding process for the County's Employee's Health Insurance. The Vice Chairperson is authorized to sign the Consulting Agreement and Broker Client Business Associate Contract. Voting yes were Mach, Hanson, Lutton and Breunig. Voting no were none. Rastovski abstained. Motion carried.

Motion by Breunig, seconded by Mach to approve the following Application(s) for Special Designated Liquor License:

- Michael Beckman, Wahoo – for a Beer Garden during an event on October 10, 2015 from 12:00 p.m. (noon) until 5:00 p.m., at High Velocity Sports, 1660 County Road J, Wahoo
- Tangier Temple Holding Corp – Tangier Shriners, Omaha – Fund Raiser October 17, 2015 from 6:00 p.m. to 12:00 a.m. at the property of Larry Drews, 1755 County Road 5, Yutan

Voting yes were Mach, Hanson, Lutton, Breunig and Rastovski. Voting no were none. Motion carried.



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The Board Administrative Assistant discussed updating the lighting fixtures of the Courthouse, a few issues with the recently installed security cameras at the Courthouse; the schedule for the replacement of carpeting in the Board of Supervisor's room.

Motion by Rastovski, seconded by Hanson to authorize the purchase of (8) CPS Units from Verizon. Said units will be placed/tested on various vehicles of different County Departments. Voting yes were Hanson, Lutton, Breunig, Rastovski and Mach. Voting no were none. Motion carried.

Motion by Breunig, seconded by Rastovski to approve the County's Payroll for the September 18th pay period; the County Treasurer is hereby authorized to issue a check to the Saunders County Impress Account for the full amount for all funds. Voting yes were Lutton, Breunig, Rastovski, Mach and Hanson. Voting no were none. Motion carried.

Motion by Rastovski, seconded by Hanson to approve the minutes of the September 8th Board meeting. Voting yes were Breunig, Rastovski, Mach, Hanson and Lutton. Voting no were none. Motion carried.

Committee Reports: NONE

Open Discussion from the Public: NONE

The proceedings of the foregoing meeting were recorded and are on file in the County Clerk's office. All items considered by the Board of Supervisors were included in the agenda published or posted prior to said meeting.

Vice Chairperson Lutton declared the meeting adjourned at 11:00 a.m.

ATTEST: _____
Saunders County Clerk

Vice Chairperson Board of Supervisors